

1 SETH D. BALLSTAEDT, ESQ.
2 Nevada Bar No.: 11516
3 BALLSTAEDT LAW FIRM
4 9555 S. Eastern Ave, Ste 285
5 Las Vegas, Nevada 89123
6 Phone: (702) 715-0000
7 Fax: (702) 666-8215
8 help@bkvegas.com

e-filed December 19, 2018

9 **UNITED STATES BANKRUPTCY COURT**

10 **DISTRICT OF NEVADA**

11 In re:

12 KENNETH RAY MCMAHAN

CASE NO.: 18-12586-ABL
TRUSTEE: BRIAN SHAPIRO

CHAPTER: 7

HEARING DATE: JANUARY 23, 2019
HEARING TIME: 9:30 AM

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15 Debtor(s)
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18 **MOTION TO WITHDRAW AS ATTORNEY OF RECORD**

19 SETH D. BALLSTAEDT, ESQ. moves this Honorable Court for an order allowing
20 withdrawal as attorney of record for Debtor. This motion is made and based upon the
21 pleadings and papers on file herein, and upon the following Points and Authorities.

22 **STATEMENT OF FACTS**

- 23 1. KENNETH RAY MCMAHAN (hereinafter referred to as “debtor(s)”), commenced this
24 case on May 3, 2018 by filing a voluntary petition for relief under Chapter 13 of Title 11
25 of the United States Bankruptcy Code.
- 26 2. Debtor has hired alternative counsel and is no longer paying Ballstaedt Law Firm.
27 Ballstaedt Law Firm seeks to withdraw as counsel of record for Debtor, and not represent
28 Debtor in subsequent events within the instant case.

POINTS AND AUTHORITIES

E.D.C.R. 7.40(2)(I) states as follows:

(2) When no attorney has been retained to replace the attorney withdrawing, by order of the court, granted upon written motion therefore, and

(i) If the application is made by the attorney, he must include in an affidavit, the address, or last know address, at which the client may be served with notice of further proceedings taken in the case in the event application for withdrawal is granted, and he must serve a copy of the application upon the client and all other parties to the action or their attorneys...

PRAYER

WHEREFORE, Seth D. Ballstaedt and The Ballstaedt Law Firm hereby request this Honorable Court grant this Motion for Withdrawal as Counsel in the instant case.

Dated this 19 day of December, 2018

/s/ Seth D. Ballstaedt, Esq.
Seth D. Ballstaedt, Esq.
Attorney for Debtor(s)